



General Assembly

February Session, 2020

Raised Bill No. 318

LCO No. 2089



Referred to Committee on JUDICIARY

Introduced by:
(JUD)

AN ACT PROTECTING EMPLOYEE FREEDOM OF SPEECH AND CONSCIENCE.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 31-51q of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2020*):

3 [Any] (a) As used in this section:

4 (1) "Political matters" means matters relating to elections for political
5 office, political parties, legislation, regulation and the decision to join or
6 support any political party or political, civic, community, fraternal or
7 labor organization;

8 (2) "Religious matters" means matters relating to religious affiliation
9 and practice and the decision to join or support any religious
10 organization or association; and

11 (3) "Rights guaranteed by the first amendment to the United States
12 Constitution or section 3, 4 or 14 of article first of the Constitution of the
13 state" includes, but is not limited to, the right of freedom of speech,

14 freedom of religion and freedom of association, and shall include the
15 right not to be required to listen to speech.

16 (b) Except as provided in subsections (c) and (d) of this section, any
17 employer, including the state and any instrumentality or political
18 subdivision thereof, who subjects or threatens to subject any employee
19 to discipline or discharge on account of (1) the exercise by such
20 employee of rights guaranteed by the first amendment to the United
21 States Constitution or section 3, 4 or 14 of article first of the Constitution
22 of the state, provided such activity does not substantially or materially
23 interfere with the employee's bona fide job performance or the working
24 relationship between the employee and the employer, or (2) such
25 employee's refusal to (A) attend an employer-sponsored meeting with
26 the employer or its agent, representative or designee, the primary
27 purpose of which is to communicate the employer's opinion concerning
28 religious or political matters, or (B) listen to speech or view
29 communications, the primary purpose of which is to communicate the
30 employer's opinion concerning religious or political matters, shall be
31 liable to such employee for damages caused by such discipline or
32 discharge, including punitive damages, and for reasonable attorney's
33 fees as part of the costs of any [such] action for damages. If the court
34 determines that such action for damages was brought without
35 substantial justification, the court may award costs and reasonable
36 attorney's fees to the employer.

37 (c) Nothing in this section shall prohibit: (1) An employer or its agent,
38 representative or designee from communicating to its employees any
39 information that the employer is required by law to communicate, but
40 only to the extent of such legal requirement; (2) an employer or its agent,
41 representative or designee from communicating to its employees any
42 information that is necessary for such employees to perform their job
43 duties; (3) an institution of higher education, or any agent,
44 representative or designee of such institution, from meeting with or
45 participating in any communications with its employees that are part of
46 coursework, any symposia or an academic program at such institution;
47 (4) casual conversations between employees or between an employee

48 and an agent, representative or designee of an employer, provided
49 participation in such conversations is not required; or (5) a requirement
50 to attend a meeting limited to the employer's managerial and
51 supervisory employees.

52 (d) The provisions of this section shall not apply to a religious
53 corporation, entity, association, educational institution or society that is
54 exempt from the requirements of Title VII of the Civil Rights Act of 1964
55 pursuant to 42 USC 2000e-1(a) or is exempt from sections 4a-60a, 46a-
56 81a and 46a-81o pursuant to section 46a-81p, with respect to speech on
57 religious matters to employees who perform work connected with the
58 activities undertaken by such religious corporation, entity, association,
59 educational institution or society.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2020	31-51q

Statement of Purpose:

To prohibit an employer from coercing any employee into attending or participating in a meeting sponsored by the employer concerning the employer's views on political or religious matters.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]